

Mr. Elia E. Popovich  
May 8, 2008  
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General is aware of information on various discrete releases from information in the October 1, 1999 DEQ Site Assessment Program - Strategy Recommendation.

On February 17, 1995, 20-55 gallons of pale oil were accidentally released from an above ground storage tank. The oil entered an on-site storm drain and created a sheen on the Willamette River. The Oregon Department of Environmental Quality (ODEQ) issued LPA a Notice of Noncompliance and a Civil Penalty for failure to report the spill, inadequate cleanup, and failure to perform a hazardous waste determination on the cleanup material.

In July 1979, A Portland General Electric transformer located on a piling 100 feet off-shore of the LPA site failed and leaked one quart of mineral oil into the Willamette River. According to Portland General Electric, their response contractor was unable to find any oil to cleanup. The three transformers on the piling were subsequently moved to land.

In 1994, a 4,000 gallon, 6,000 gallon and 10,000 gallon gasoline underground storage tanks (USTs) were decommissioned by removal by LPA. About 80 cubic yards of gasoline contaminated soil were removed from the excavation, treated and placed on-site. No groundwater was encountered in the excavation. ODEQ issued a "no further action" letter dated September 27, 1994.

In 1989, a 5,000 gallon UST was decommissioned by removal at LPA. About 200 cubic yards of contaminated soil were removed from the excavation and disposed of at an off-site facility. No groundwater was encountered in the excavation. ODEQ issued a "no further action" letter dated October 19, 1989.

LPA operated under NPDES storm water permit No. 1200-z. There are two drainage basins in the developed, manufacturing portion of the property that have point discharges to the Willamette River: Storm water in one drainage area flows into a City of Portland storm water pipe, and drainage from the second area is discharged in a storm drain owned by Linnton Plywood. A complaint was received by ODEQ on September 3, 1994 concerning a milky discharge to the Willamette River from a malfunctioning separator.

With the exception of the July 1979 release arising from the Portland General Electric transformer, none of the foregoing has identified any release that resulted in "property damage" during the applicable General policy periods.

General is continuing to investigate any occurrence where there is a "discharge of matter" and if such a discharge is sudden, unexpected, unknowingly caused and unintentional and which occurred during the policy periods. General

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reserves all of its rights to limit or decline coverage based on the pollution exclusions cited above.

The applicable policies require notice as soon as practical in the event of an occurrence, and immediate notice in the event of a claim or suit. Coverage does not apply if the evidence reveals that LPA did not provide notice to General, of this claim, as soon as practicable, and, to the extent that General's investigation was prejudiced by late notice, General reserves the right to limit or deny coverage on this basis.

Coverage does not apply if the Conditions sections of the policies have not been complied with. General reserves the right to deny or limit coverage based upon each of the above-referenced conditions.

Additionally, please be advised that General's acceptance of the defense of this matter is subject to the following additional reservation of rights;

General reserves all of its rights under the terms and provisions of the policies identified herein, including, but not limited to, those outlined in this letter.

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General reserves the right to assert other terms and provisions of the subject policies pending our continuing investigation, and General specifically reserves the right to amend and supplement this reservation of rights at any time in the future.

The participation of General in the defense of LPA in the above-captioned matter does not constitute a waiver of any of its rights under the policies herein identified.

General reserves the right to withdraw from the defense of this matter when and if further investigation reveals that there is no potential for coverage existing under the policies.

General reserves the right to enter into settlement negotiations and to conclude any reasonable settlement herein.

General reserves the right to allocate between covered and non-covered damages and to seek reimbursement from LPA for any payment of settlements or judgments, and the costs associated with its defense.

General also specifically reserves its rights to have its duties judicially determined. If the courts decide that there is no duty to defend or indemnify

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LPA, we will seek reimbursement from LPA for all costs and fees expended in LPA's defense as well as any settlements or judgments paid on LPA's behalf. No payments of settlements, judgments or defense costs shall constitute a waiver of General's right to seek later allocation and reimbursement of such settlements, judgments or defense costs, on the ground that there is no duty to defend or indemnify all or a portion of the subject action.

General reserves the right to enter into a defense sharing agreement with any other insurer or insurers which may have issued coverage to LPA, either as an insured or an insured, which may be applicable to this matter. In that regard, please immediately provide information with regard to any other LPA insurer to which this matter has been tendered.

General reserves the right to assign defense of this matter to counsel of its choice.

General also reminds you of the continuing obligation of the insured to fully and completely cooperate with General in this matter, as well as the insured's obligation to keep General fully informed and apprised of all developments as this matter proceeds.

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Per the above, General has agreed, subject to a reservation of rights, to participate in the defense of LPA for the claims tendered. If you have any questions with regard to this matter please feel free to call me. My direct telephone number is (530) 345-8399.

Sincerely,

General Insurance Company of America



Dennis W. Keener  
Senior Specialist  
Strategic Risk Claims



Direct Phone  
(503) 221-7303

Direct Facsimile  
(800) 601-9232

E-Mail  
popoe@fosterpdx.com

November 14, 2008

**VIA EMAIL**

Dennis Keener  
Claims Representative  
Safeco Insurance  
4470 Garden Brook Drive  
Chico, CA 95973-8941

Re: Insured: Linnton Plywood Association  
Property 10504 NW St. Helens Rd., Portland, Oregon  
Claim No.: 04T 00067 2868  
Portland Harbor Superfund Site

Dear Dennis:

Pursuant to my email of November 12, 2008, please accept this correspondence as the Insured's Notice of Lost Policy pursuant to the Oregon Environmental Cleanup Assistance Act, ORS 465.475 et al. (the "Act") for the following policies:

**Confirmed Policies**

Policy No:	Effective Dates	Liab. Form	Cond. Form	Pollution Exclusion
CP383478	4/23/73 to 4/23/76	C-10 1/73,	C1652 1/73,	C1599 1/72
CP646638	4/23/76 to 4/23/79	C-10 9/74*,	C1652 5/74*,	C1599 1/72*
CP646638A	4/23/79 to 4/23/82	C1138 4/78,	C1652 8/78,	C1599 1/72
CP646638B	4/23/82 to 4/23/85	C1138 4/78*,	C1652 8/78*,	CGL21201 4/80*

\*Policy forms are unconfirmed. The noted forms are those that were likely to have been issued with the referenced policy.

**Unconfirmed Policies**

Policy No:	Effective Dates	Liab. Form	Cond. Form	Other	Pollution Exclusion
BLP232479	4/23/66 to 4/23/67	C-10 1/65			
CP160977	4/23/67 to 4/23/70	C-10 1/67	CF640 10/66,	CF646 10/66	
CP276891	4/23/70 to 4/23/73	C-10 1/67	CF640 6/69,	CF646 1/67	C1599 11/70

(effective 4/23/71)

November 14, 2008

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Re: Insured: Linnton Plywood Association  
Claim No.: 04T 0067 2868

Pursuant to the Act, Safeco is required to promptly and thoroughly investigate this Notice of Lost Policy, including providing all facts and documents known and discovered during an investigation concerning the issuance and terms of the Policies. Safeco is further required to provide an accurate copy of the terms of the Policies or a reconstruction of the Policies.

If Safeco is not able to locate portions of the Policies or determine their terms, condition or exclusions, Safeco must provide copies of all insurance Policy forms issued by Safeco during the applicable policy period that are potentially applicable to the environmental claim. Furthermore, Safeco must state which of the potentially applicable forms, if any, is most likely to have been issued by Safeco, or Safeco must state why it is unable to identify the forms after a good faith search.

Thank you for your continuing help with this matter. We look forward to your response.

Regards,

A handwritten signature in black ink, appearing to read 'Elia E. Popovich', with a long horizontal flourish extending to the right.

Elia E. Popovich

EEP/cs

November 14, 2008

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Re: Insured: Linnton Plywood Association  
Claim No.: 04T 0067 2868

bcc: Jimmy Stahly  
William Hutchison

Claims Representative  
4470 Garden Brook Drive  
Chico, CA 95973-8941

Phone (530) 345-8399  
Fax (530) 345-8482  
denkee@safeco.com



November 24, 2008

NOV 26 2008

Linnton Plywood Association  
C/o Mr. Elia E. Popovich  
Foster Pepper, LLP  
601 SW 2nd Avenue, Suite 1800  
Portland, Oregon 97204

FOSTER PEPPER  
601 S.W. 2nd AVE., STE. 1800  
PORTLAND, OR 97204-3171

Insured : Linnton Plywood Association  
Claim No. : 04T 00067 2868  
Site : 10504 NW St. Helens Road, Portland, OR  
Portland Harbor Superfund Site

Dear Mr. Popovich:

This will serve to respond to your correspondence of November 14, 2008, wherein you provide notice of lost policy on behalf of your client Linnton Plywood Association (Linnton), to General Insurance Company of America (General), pursuant to the Oregon Environmental Cleanup Assistance Act, ORS 465.475 et al. (the Act) for policies issued by General to Linnton.

As previously discussed, General's search for policy information relative to the Linnton policies has failed to locate complete copies of the subject policies, and therefore has been unable to fully confirm the complete terms, conditions, endorsements and policy limits applicable to the subject policies.

General has confirmed that it has issued the following policies identified in the table below. Each year of coverage provided a limit of \$100,000 per occurrence and \$100,000 aggregate in property damage liability.

*Confirmed Policies*

Policy No:	Effective Dates	Liab. Form	Cond. Form	Pollution Exclusion
CP383478	4/23/73 to 4/23/76	C-10 1/73,	C1652 1/73,	C1599 1/72
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Mr. Elia E. Popovich  
November 24, 2008  
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\*Policy forms are unconfirmed. The noted forms are those that were likely to have been issued with the referenced policy.

Secondary evidence exists to suggest that the following policies were issued to Linnton, and each of the policies listed in the table below is believed to have provided a limit of \$100,000.00 per occurrence and \$100,000 aggregate in property damage liability. The applicable forms noted are the forms most likely to have been issued with each policy.

This information, from secondary evidence, is unconfirmed and General reserves all of its rights to amend the policy information should the actual policy be revealed or if other policy information arises.

*Unconfirmed Policies*

<i>Policy No.</i>	<i>Effective Dates</i>	<i>Liab. Form</i>	<i>Cond. Form</i>	<i>Other</i>	<i>Pollution Excl</i>
BLP232479	4/23/66 to 4/23/67	C-10 1/65			
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CP276891	4/23/70 to 4/23/73	C-10 1/67,	CF640 6/69,	CF646 1/67,	C-1599 11/70


(effective 4/23/71)

Pursuant to your request, General is herewith providing copies of all forms, applicable to the subject policies, discovered in its investigation of lost policies. General also herewith provides copies of forms applicable and/or most likely applicable to the environmental claims tendered by Linnton, for each of the confirmed and unconfirmed policies detailed above.

If you have any question with regard to the information provided, please feel free to contact me directly.

Sincerely,

General Insurance Company of America



Dennis W. Keener  
Analyst  
Strategic Risk Claims

Dennis Keener  
 Claims Representative  
 4470 Garden Brook Drive  
 Chico, CA 95973-8941

Phone (530) 345-8399  
 Fax (530) 345-8482  
 denkee@safeco.com



November 24, 2008

NOV 26 2008

Linnton Plywood Association  
 C/o Mr. Elia E. Popovich  
 Foster Pepper, LLP  
 601 SW 2nd Avenue, Suite 1800  
 Portland, Oregon 97204

FOSTER PEPPER  
 601 S.W. 2nd AVE., STE. 1800  
 PORTLAND, OR 97204-3171

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CP276891	4/23/70 to 4/23/73	C-10 1/67,	CF640 6/69,	CF646 1/67,	C-1599 11/70
(effective 4/23/71)					

Pursuant to your request, General is herewith providing copies of all forms, applicable to the subject policies, discovered in its investigation of lost policies. General also herewith provides copies of forms applicable and/or most likely applicable to the environmental claims tendered by Linnton, for each of the confirmed and unconfirmed policies detailed above.

If you have any question with regard to the information provided, please feel free to contact me directly.

Sincerely,

General Insurance Company of America

*Dennis W. Keener*

Dennis W. Keener  
Analyst  
Strategic Risk Claims

**From:** KEENER, DENNIS W [mailto:Dennis.Keener@LibertyMutual.com]

**Sent:** Monday, August 10, 2009 8:36 AM

**To:** Bill Hutchison

**Subject:** RE: Remaining available/applicable coverage limits - LPA

Bill. Here's what I have.

12 policy years are confirmed: 1973-1985 at \$100,000/policy year. Total Limits \$1,200,000

7 policy years, from 1966-1973, are un-confirmed, evidenced by secondary evidence only. At \$100,000/policy year, these policies would add an additional \$700,000.

Total payments made to date, against limits total \$62,959. DK

	A	B	C	D	E
1	LINNTON PLYWOOD SHAREHOLDERS AND HOLDERS OF PATRONAGE RETAINS PER COURT STIPULATION				
	PATRONAGE RETAINS		TOTAL PATRONAGE RETAINS		
2	AFTER 2002 LOSS	LOSS 2002	PER COURT STIPULATION	STOCK	TOTAL DISTRIBUTION
3	18107.60		18107.60	5000.00	23107.60
4	17103.51		17103.51		17103.51
5	20133.80		20133.80	5000.00	25133.80
6	12788.21		12788.21	5000.00	17788.21
7	0.00		0.00	5000.00	5000.00
8	16746.42		16746.42	5000.00	21746.42
9	9688.53		9688.53		9688.53
10	26802.23		26802.23		26802.23
11	21477.39		21477.39	5000.00	26477.39
12	842.70	23969.96	24812.66	5000.00	29812.66
13	-4380.57	22391.29	18010.72	5000.00	23010.72
14	-2278.02	19233.95	16955.93	5000.00	21955.93
15	5001.33		5001.33		5001.33
16	13819.17		13819.17		13819.17
17	12627.95		12627.95		12627.95
18	18437.37		18437.37		18437.37
19	11250.16		11250.16	5000.00	16250.16
20	0.00		0.00	5000.00	5000.00
21	30443.98		30443.98		30443.98
22	18599.00		18599.00		18599.00
23	12150.19		12150.19		12150.19
24	-4001.25	16585.85	12584.60	5000.00	17584.60
25	23992.03		23992.03	5000.00	28992.03
26	0.00		0.00	5000.00	5000.00
27	0.00		0.00	5000.00	5000.00
28	13186.67		13186.67	5000.00	18186.67
29	4571.93	21976.06	26547.99	5000.00	31547.99
30	43314.15		43314.15	5000.00	48314.15
31	1714.47		1714.47		1714.47
32	1892.27		1892.27		1892.27
33	-16785.58	22030.90	5245.32	5000.00	10245.32
34	-11786.38	27722.74	15936.36	5000.00	20936.36
35	3958.07	8900.11	12858.18	5000.00	17858.18
36	26353.27		26353.27		26353.27
37	-4304.21	23770.18	19465.97	5000.00	24465.97
38	11561.41		11561.41		11561.41
39	-16640.96	22873.12	6232.16	5000.00	11232.16
40	16872.10		16872.10		16872.10
41	8416.98		8416.98		8416.98
42	19973.33		19973.33	5000.00	24973.33
43	14406.71		14406.71		14406.71
44	12380.80		12380.80	5000.00	17380.80
45	3391.66		3391.66		3391.66
46	20907.96		20907.96		20907.96
47	1685.73		1685.73		1685.73
48	13048.91		13048.91		13048.91
49	13998.29		13998.29	5000.00	18998.29
50	13195.42		13195.42	5000.00	18195.42
51	15367.95		15367.95		15367.95
52	-8444.82	22489.22	14044.40	5000.00	19044.40
53	14343.70		14343.70	5000.00	19343.70
54	13517.20		13517.20	5000.00	18517.20
55	-6061.58	20127.09	14065.51	5000.00	19065.51
56	0.00		0.00	5000.00	5000.00

	A	B	C	D	E
2	PATRONAGE RETAINS AFTER 2002 LOSS	LOSS 2002	TOTAL PATRONAGE RETAINS PER COURT STIPULATION	STOCK	TOTAL DISTRIBUTION
57	-2985.34	5037.65	2052.31	5000.00	7052.31
58	-10735.85	24310.77	13574.92	5000.00	18574.92
59	20404.87		20404.87		20404.87
60	11307.91		11307.91		11307.91
61	7723.49		7723.49	5000.00	12723.49
62	6800.79		6800.79		6800.79
63	19723.67		19723.67	5000.00	24723.67
64	8085.83		8085.83		8085.83
65	14308.39		14308.39		14308.39
66	-3678.83		-3678.83	5000.00	1321.17
67	35690.63		35690.63		35690.63
68	12115.65		12115.65	5000.00	17115.65
69	27052.99		27052.99		27052.99
70	1370.68		1370.68		1370.68
71	3205.49		3205.49	5000.00	8205.49
72	-12652.75	20557.99	7905.24	5000.00	12905.24
73	1944.57		1944.57		1944.57
74	8748.00		8748.00		8748.00
75	-9620.28	24118.82	14498.54	5000.00	19498.54
76	31847.29		31847.29		31847.29
77	6486.83		6486.83	5000.00	11486.83
78	31777.25		31777.25		31777.25
79	26243.36		26243.36	5000.00	31243.36
80	-7165.31	21709.68	14544.37	5000.00	19544.37
81	19155.07		19155.07		19155.07
82	11841.50		11841.50	5000.00	16841.50
83	469.38		469.38	5000.00	5469.38
84	-12462.03	18783.46	6321.43	5000.00	11321.43
85	14042.70		14042.70	5000.00	19042.70
86	2992.28		2992.28		2992.28
87	15725.29		15725.29	5000.00	20725.29
88	1397.70		1397.70		1397.70
89	1187.69		1187.69		1187.69
90	-15461.77	22579.32	7117.55	5000.00	12117.55
91	14808.85		14808.85	5000.00	19808.85
92	18126.42		18126.42	5000.00	23126.42
93	0.00		0.00	5000.00	5000.00
94	13690.40		13690.40	5000.00	18690.40
95	5513.09		5513.09		5513.09
96	32987.22		32987.22		32987.22
97	14288.30		14288.30	5000.00	19288.30
98	-10556.59	23358.86	12802.27	5000.00	17802.27
99	1402.14		1402.14		1402.14
100	3517.71		3517.71	5000.00	8517.71
101	25894.87		25894.87		25894.87
102	927.62		927.62		927.62
103	-2399.92	8273.34	5873.42	5000.00	10873.42
104	12627.73		12627.73	5000.00	17627.73
105	30281.71		30281.71	5000.00	35281.71
106	22591.14		22591.14		22591.14
107	15280.03		15280.03	5000.00	20280.03
108	6224.40	20863.54	27087.94	5000.00	32087.94
109	16658.72		16658.72	5000.00	21658.72
110	3408.12		3408.12		3408.12
111	-9152.15	25090.31	15938.16	5000.00	20938.16
112	26305.80		26305.80	5000.00	31305.80

	A	B	C	D	E
2	PATRONAGE RETAINS AFTER 2002 LOSS	LOSS 2002	TOTAL PATRONAGE RETAINS PER COURT STIPULATION	STOCK	TOTAL DISTRIBUTION
113	-27444.21	21556.90	-5887.31		-5887.31
114	-21404.60	22924.04	1519.44	5000.00	6519.44
115	-10162.10	24910.11	14748.01	5000.00	19748.01
116	-12759.48	19124.26	6364.78	5000.00	11364.78
117	5711.73		5711.73	5000.00	10711.73
118	11195.00		11195.00	5000.00	16195.00
119	27926.47		27926.47	5000.00	32926.47
120	5526.18		5526.18	5000.00	10526.18
121	0.00		0.00	5000.00	5000.00
122	-28233.72	21599.99	-6633.73		-6633.73
123	-16366.70	23723.17	7356.47	5000.00	12356.47
124	12898.03		12898.03	5000.00	17898.03
125	14356.20		14356.20		14356.20
126	12656.37		12656.37		12656.37
127	17760.29		17760.29		17760.29
128	13456.63		13456.63	5000.00	18456.63
129	8396.14		8396.14	5000.00	13396.14
130	18839.82		18839.82		18839.82
131	3934.77		3934.77		3934.77
132	23469.64		23469.64		23469.64
133	3206.85		3206.85	5000.00	8206.85
134	680.33		680.33		680.33
135	2517.73		2517.73	5000.00	7517.73
136	903.00		903.00	5000.00	5903.00
137	10456.13		10456.13		10456.13
138	20041.51		20041.51	5000.00	25041.51
139	25219.10		25219.10		25219.10
140	16378.20		16378.20	5000.00	21378.20
141	3719.52		3719.52	5000.00	8719.52
142	-29850.03	23848.52	-6001.51	5000.00	-1001.51
143	8174.22		8174.22	5000.00	13174.22
144	19543.11		19543.11		19543.11
145	0.00		0.00	5000.00	5000.00
146	25505.82		25505.82	5000.00	30505.82
147	9454.79		9454.79		9454.79
148	0.00		0.00	5000.00	5000.00
149	0.00		0.00	5000.00	5000.00
150	4566.17		4566.17		4566.17
151	15765.39	1253.54	17018.93	5000.00	22018.93
152	-2259.26	17455.49	15196.23	5000.00	20196.23
153	29919.55		29919.55		29919.55
154	24489.48		24489.48	5000.00	29489.48
155	12012.28		12012.28	5000.00	17012.28
156	23821.62		23821.62	5000.00	28821.62
157	12524.91		12524.91	5000.00	17524.91
158	16818.05		16818.05	5000.00	21818.05
159	6214.02	26198.91	32412.93	5000.00	37412.93
160	0.00		0.00	5000.00	5000.00
161	32320.68		32320.68	5000.00	37320.68
162	0.00		0.00	5000.00	5000.00
163	16797.77		16797.77		16797.77
164	21396.49		21396.49		21396.49
165	18591.31		18591.31	5000.00	23591.31
166	6820.48		6820.48	5000.00	11820.48
167	1558.66		1558.66		1558.66
168	0.00		0.00	5000.00	5000.00

	A	B	C	D	E
2	PATRONAGE RETAINS AFTER 2002 LOSS	LOSS 2002	TOTAL PATRONAGE RETAINS PER COURT STIPULATION	STOCK	TOTAL DISTRIBUTION
169	7392.00		7392.00		7392.00
170	12451.21		12451.21	5000.00	17451.21
171	11680.36		11680.36		11680.36
172	21785.66		21785.66		21785.66
173	7616.11		7616.11	5000.00	12616.11
174	6145.27	5836.78	11982.05	5000.00	16982.05
175	7689.41	2632.43	10321.84	5000.00	15321.84
176	15162.92		15162.92	5000.00	20162.92
177	5642.32		5642.32	5000.00	10642.32
178	3021.93		3021.93	5000.00	8021.93
179	-10377.78	25909.02	15531.24	5000.00	20531.24
180	12753.44		12753.44		12753.44
181	19890.16		19890.16	5000.00	24890.16
182	6919.23		6919.23		6919.23
183	4989.00		4989.00		4989.00
184	-9118.29	24557.56	15439.27	5000.00	20439.27
185	29227.55		29227.55		29227.55
186	3798.67		3798.67		3798.67
187	-11727.31	17800.21	6072.90	5000.00	11072.90
188	-5625.53	23433.29	17807.76	5000.00	22807.76
189	-28799.66	22187.59	-6612.07	5000.00	-1612.07
190	13366.90		13366.90	5000.00	18366.90
191	15503.45		15503.45	5000.00	20503.45
192	6153.54		6153.54		6153.54
193	19407.39		19407.39	5000.00	24407.39
194	0.00		0.00	5000.00	5000.00
195	6180.60	1504.24	7684.84	5000.00	12684.84
196	13073.55	1253.54	14327.09	5000.00	19327.09
197	17165.48		17165.48	5000.00	22165.48
198	379.86		379.86	5000.00	5379.86
199	8910.61		8910.61	5000.00	13910.61
200	27706.61		27706.61		27706.61
201	21452.76		21452.76	5000.00	26452.76
202					
203	1689581.69	794463.80	2484045.49	630000.00	3114045.49